

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2535 - SB 2574

March 3, 2022

SUMMARY OF BILL AS AMENDED (014796): Requires nursing homes and assisted-care living facilities to allow at least one resident representative, who meets certain conditions, to visit a resident of the facility during end-of-life situations if a disaster, emergency, or public health emergency for COVID-19 has been declared. Specifies exceptions to this law, including that the representative's presence must not violate any federal or state law, rule, or guidance.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Pursuant to the proposed legislation, resident representative means a family member or other individual chosen by the resident, or a court-appointed guardian or conservator of the resident, that acts on behalf of the resident in order to support with decision-making, access medical, social, or other personal information of the resident, manage financial matters, or receive notifications.
- Any cost associated with ensuring resident representatives meet certain requirements and protocols is estimated to be not significant.
- Nursing home and assisted care living facilities are required to follow federal law to the extent there is conflict regarding state-based visitation regulations and the Centers for Medicare and Medicaid Services rules for those facilities. However, this legislation states that a representative's presence must not violate any federal or state law, rule, or guidance. Therefore, there will not be a significant fiscal impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

Krista Lee Carsner, Executive Director

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